

For example, claim 32 recites a ratio range of 2.87 - 3.22 with a preferred range of 3.0 +/-0.18 wherein the lower limit of the preferred range is lower than the lower limit of the given range, i.e. $3.0 - 0.18 = 2.82$ is lower than 2.87.

Similar inconsistencies are present in claims 33, 35-37 and 39-41. Therefore, Applicant has amended the ranges of claims 32-33, 35-37 and 39-41 to be consistent with the provided error ranges. Support for the amended ranges can be found in the error ranges, which define the upper and lower bound of the claims.

Regarding claim 30, Applicant has amended the phrase "41 +/- 10.6" to "411 +/-10.6" to correct a typographical error of "41" to "411" in the recited phrase. As can plainly be seen, the value of 41 cannot be within the recited range of 261 to 561.5. The correct value is 411. The error would have readily been apparent to one of ordinary skill in the art and would be clearly recognized as a harmless typographical error wherein the correction does not constitute new matter.

A Cytokine Mixture Characterization Table 1 provided in a submitted § 1.132 Declaration by Dr. Eyal Talor, the named inventor of the captioned application, further shows that the mean value of IL-8 is 164,404 pg/ml. When the mean value of 164,404 is divided by 400 of IL-2 in IU (International Units), the resulting IL-8 to IL-2 mean ratio is 411. This data shows that the integer value of 411 of amended claim 30 is supported

and does not constitute new matter.

Claim 26 has been amended to remove an extra period.

The specification has been amended to correct inconsistencies in the claimed ranges corresponding to the changes made in claims 32-33, 35-37 and 39-41.

No new matter within the meaning of § 132 is added by any of the amendments.


Applicant also submits herewith an executed Power of Attorney.

A Response to the Restriction Requirement of February 27, 2004, traversing the Restriction is also enclosed herewith.

Accordingly, Applicant respectfully requests entry of the amendments and further submits that the presently claimed invention is novel and unobvious over the references cited in the Information Disclosure Statement filed concurrently herewith and requests withdrawal of the outstanding Restriction Requirement.

Respectfully submitted,

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